EINSTEINS MIXED AS TO HOUR OF SALE

Let Boys Testify That Paul Bought Shotgun From wawnshop on Date He Named—Neblett Tells of Seeing Paul on Bridge With Weapon.

Mr. Smith objected to this line of cross-examination, and IIr. Wendenburg replied that he was going to im-

brother marked the gun as paid.
"Don't you know whether it was
marked 'paid' or 'not?"

What did you say to Mr. Scherer
when he came there?"
"I told him the procedings from
beginning to end. I told him that
Paul came in the morning and looked
at the gun and said that he would
come back. I was busy and my
brother attended to it, and he came
back and paid for it."
"Whom did he pay?"
"My siter."
"What did she say to him?"
"I didn't hear the conversation."
What He Told Scherer.

"I didn't think it was very wrong to say 10 was right. It might have been between 10 and 11."

was that man who

watch that night?" he asked the wit

"How much did he pay you? Car you say?"
"I don't taink I can."
"What time of night was it?"
"A few minutes before 10."
"After th's the gun was delivered?"

'Was it a few minutes before 10

"Yes."
"Well, why do you tell the jury
as after 10 when the gun was o

Quoted From His Statement

Now you have made two conflict-

is false?"
"It was before 10."
"Is the other statement false?"
"I didn't mean to say anything for anybody's good. It was a mistake.
You questioned me so closely."
"Now, you remember saying it was after 10 when this man set the watch?"
"Yes."

before 19?"
"I don't think I did." He got mixed

is false?"

wards that that was wrong. You had enough people in the store to fix it in your memory, did you?"

"Yes."

"You had to rely on other people's memory, then?"

"Yes."

"You had to rely on other people's memory, then?"

"Yes."

"You had to rely on other people's memory, then?"

"Yes."

"You had to rely on other people's memory, then?"

"Yes."

"You have said Paul paid for it Saturday night. What sort of bill was it?"

"A ten-dollar bill."

"Did you see it?"

"No, my sister told me."

"Don't say what other people told you, be you remember Detectives Wren you. Do you remember Detectives Wren you.

"Don't say what other people told the you. Do you remember Detectives Wren ein and Wiltshire coming to your store om and telling you that you were mis-

bout the purchase of a gun by Paul

"Can you tell the jury what time it as you sold the gun to Paul that

I think it was a few minutes before

n Saturday."
"Did he pay for it then?"
"No. He paid for it when he came ack later."
"Who delivered it to him?"
"I don't know. J know I didn't."
"Was it wrapped up in three pieces

in its original shape?"

'I don't remember whether it wa not." Then witness said the guas never taken apart.

The shape it is now?

If the boy examined the gun and rerelied: "Yes."

"When you sold the gun to Paul
Beattle did Me say that he was a watch,
inan on Klayo's Bridge and that he
wanted to use the gun down there?"

"Yes. sir"

Worked Next Door.

"Are there any signs over your door?"

Yes.".
'What are they?'

what are they?'

"J. Weinstein."

ould What is the size of the letters?"

lal ven or eight inches."

raft?

The

for pay these ps weeks."

for pay these ps weeks."

rer say anything to you these ps with the colored by than at of ham at of ham to the colored by the first time he want that the colored by the first time he want that the colored by the colored was after 10 when the gun wa livered?"
"I didn't say that."
"You didn't have any confust to morning and night, did you?"
"No, sin."

tr you the first time he went into your store. Is that true?" 'No, sir. I wouldn't have loaned it him then. He had been in the store

"No, sir."
"Did he know yours?"
"I don't know if he knew my front lame-my first name I mean-but he listed me 'Weln."

"Is there any way by which you a identify that gun?" asked Mr. endenburg on cross-examination. "Now you have made the time ing statements in regard to the time "How?" before 10.

By two little brass tacks. ind the gun about three years."
"Do you remember coming to the
"tital on Saturday after the homie inhere Paul, Captain McMahon and

look at it; and he said he would back and let us know." "I you say. 'Oh, I remember it leen 4 and 5 in the afternoon?"

up, but remembered now having had a conversation with ar Scherer "Didn't you say others had forgot ten about the sale of the gun?" ildren Cry "Didn't you say that they didn't even knew where the gun was; that Paul had to show the place where it TOOR FLETCHER'S STOCIA had been put?"

SNAPSHOT OF NEBLETT



where. I asked him for his name w his last tame, and I asked him

"Did he ask for any cartridges?" "Did you wrap the gun up?"

"Yes, sir"
"Have you any doubt about that?"
"Yes, I'm in doubt about that."
"About what?"
"About wrapping the gun up."
"Were you present when Mr. Scheret, had a conversation with your brother "Yes."

What did she say?"

"When did you become so ir with the witness?" inquired Mr.

enburg, and everybody laughed.
"I'm sure positive I did not," Jakes

I didn't hear."

plied Mr. Smith-

"Toldn't you say that the store was crowded, and that you didn't know get what the time was?"

"I did tell him it was a few minutes before 10." But witness now couldn't remember the exact time
"That is a very hard question," he is said. "Didn't you tell Mr. Scherer that you waited on Paul Saturday after-son and showed him several guns and His Word Good as Paul's.

"It has been testified that Paul was in Manchester between 7:30 and 10 o'clock; that he didn't leave Mr. Beat-ties store until 16 o'clock. Do you o'clock; that he didn't leave Mr. Beattle's store until 16 o'clock. Do you still stick to that? Paul made the statement."

"My word is as good as Paul's. I ought to know something about it."

"Suppose he did not leave Manchester ——," began Mr. Wendenburg.

"Hold on," interrupted Mr. Smith. "We don't want any suppositions here," "When the shoe is on the other foot it certainly does pinch," said Mr. Wendenburg.

"I saw him when he picked gun and bought it."
"In the evening after dinner have dinner about 2."
"Had he been in there before "No, sir."
"Tell all you know about it."

Wanted It for Watchman "I heard them faking about it certainly does pinch," said Mr. Wendenburg.

denburg, "I'm glad you feel the pinch," re-

"What did you tell them?"
"I didn't tell 'em anything."
"Do you remember having a conresation with them?" 'Come, come, gentlemen," urged the

"Yes. 1 talked to them. I don't think they asked me about the gun."
"Have you any doubt?"
"No. I'm sure now. They asked me a lot of questions."
"You are sure."

"You remember clearly that it was before 10 o'clock," but don't know

"You didn't say to Wren and Wiltshire: 'Yes, I have known him (Paul)
for the last three months?"
"No. sir I positively didn't say I had known him the last three months. I said he had been working in that store for two or three weeks, and they said he had been there two weeks."

With size note was it he paid for the gun with?" asked Mr. Wendenburs.
"Five dollars."
"You marked the gun with Paul Beattle, Jr., the prisoner at this case."
"That boy is my nephew."
"That boy is my nephew."
"Yes."

Mr. Wendenburg was reading from quainted with the boy's statement. "I can't remember. He took it out pawn."
"How much did he pay you? Can

Vitness stated that Paul had come to his store to get a pistol and badge. He couldn't sell him a pistol, but promised to get him one from Peters-

promised to get him one from Petersburg, and the badge was to come from Philadelphia.

Mr. Smith took the witness again on redirect examination.

"You started to tell the jury another reason for saying it was before 10 o'clock when you sold the gun to Paul. Tell it."

"We have a special butcher—a kosher auther—in the market, and he closes at 16 o'clock, and mother sent for some meat from him, and a boy went over there for it."

"Was Paul there when she sent for the meat?"

"Did he ask for any cartridges?"

Mr. Wendenburg quoted from the boy's statement to Mr. Scherer, in which he had said it was after 10 when Paul got the gun.
"Now, what do you say about that?"
"I didn't mean to say after 10. I meant before 16."
"Now you have made two conflict.

the meat?"
"Yes."
"Do you know the prisoner?
at him."

"No. sir." Witness said he never saw Henry efore 10. Which is True and which is false?"
"It was before 10."
"It was before 10."
"Is the other statement false?"
"Idden't mean to say anything for nybody's good. It was a mistake."
"Ou questioned me so closely."
"Now, you remember saying it was ferr 10 when this man set the watch?"
"Yes."
"Didn't you say before that it was efore 10?"
"Idon't think I did." He got mixed."
"If don't think I did." He got mixed."
"If m in the Fifth Grammar. I failed."

once."
"When do you expect to go into the gh School"
"Next year, if I get promoted."
"Do you wait in your father's store?"
"Yes, on Saturdays."

Do you know Paul Beattle " 'A little bit."

"A little bit."
"How long have you known "He lonfed in Silegler's

doorway of the concrete hose and of the bridge as he drove across, end of the bridge as he drove across, end of the bridge as he drove across, end of the bridge as he drove across, and of the bridge as he drove across and that Paul put the gun in the doorway and came across and talked with him.

"Does that yun (pointing to the gun in talked with him."

"Does that yun (pointing to the gun in evidence) resemble the one Paul had?" asked Mr. Smith.

"I can't say."

"Does't Want to Get is it.

Witness explained that he had not swanted to get mixed up," in the case, but had decided that he had better give this bit of information to the defense, and had talked with Mr. Smith about it.

"I told him that if he thought it of importance, he could use it." he said. "Talley was speaking to the defense, and had talked with Mr. Smith about it.

"I didn't think it of importance until I saw that Paul had denied on the light of the murder, and Mr. Talley and that he had a gun, and then I thought it my duty to tell it," he wall some the said. "Talley was speaking to the kind of the had told any one else, he replied that he told his wife and J. G. Saunders.

"I' didn't think it of importance until I saw that Paul had denied on the right of the murder, and Mr. Talley and that he had a gun, and then I thought it my duty to tell it," he wall had decided that he had a gun, and then I thought it my duty to tell it," he wall had decided that he had a gun, and then I thought it my duty to tell it," he wall had told any one else, he replied that he had a gun, and then I thought it my duty to tell it." he had told any one else, he replied that he had a gun, and then I thought it my duty to tell it." he had told any one else, he replied that he told his wife and J. G. Saunders.

"I didn't think it of importance until I saw that Paul had denied on the hid had told any one else, he replied that he told his wife and J. G. Saunders.

"I didn't think it of importance until the paul had told any one else, he replied that he had a gun, and then I

Character Witnesses.

He stood aside, and then came a long string of character witnesses, who were expected to prove that Henry Beattle's reputation was good, for peace, order, veracity and kindiness. Those who testified for him were D. L. Toney, W. B. Bradley, H. C. Maurice, and John Moore, all well known men of South Hichmond. While other witnesses for character were being awaited, J. C. Talley was recalled to the stand.

"I want to ask you," raid Mr. Smith, "if you had a conversation with Tom Brown on the morning after the homicide, on the Mildothian Turnpike, and salourned for dinner.

Can you size is some names of that he couldn't account for but one of whom the factor of that?" In that the scould the whole colding to the shaken in his story by the could not account for it. His daughter was present at the couldn't account for but one of the three any doubt of that?" In that the couldn't account for but one of the whole colding the properties of the conversation. Witness stated that he and the following that he couldn't account for the life that?" In that the couldn't account for the properties of the whole colding the prope

You do not hear very well?"
No. I worked as a boilermaker for

"Did you know that on the afternoon before the date you speak of it had been published in an afternoon paper that there were two blood spots."

'I had read the paper. Mr. Jarrell went on to describe the second spot. He said it was a sort of spray. He said he could not account for it."

'There is no possibility of your having been mistaken.

the door, and after waiting five or ten minutes for my pay I left. When I went out Henry Beattle was fixing his automobile lamps, He got in the car and your testimony has acken your grandson's acken your grandson's coiate anything.' said he was axensed.

The door and after waiting five or ten minutes for my pay I left. When I went out Henry Beattle was fixing his automobile lamps, He got in the car and Henry got out and tried, They got it started, and Henry and Paul got on the front seat and went off together."

"When was this?"

"About 10:20 or 10:25."

"Do you know Paul Beattle?"

ation for truth and veracity in the community in which he lives?"
"We protest," said Mr. Wendenburg.

"I do not kno

Paul's Reputation.
"What is his reputation now in that
part of the city of Richmond called

eputation of the accused.

"Haven't you seen him hanging bout the corners?"

"No, not for the las, two or three

"When did he leave Manchest ??"
"I do not know. He was lvin
there up to two or three year ag
I don't see him regularly like | use

The witness may speak of the eral reputation, ruled the court so much as to where he has his cile as among those among who lives and moves and has his beirg a man moved from 'is committed to the court of the court

"Are you acquainted," asked Mr. Smith, "with his general repution for truthfalne

for truthfalness?"

"Rated as Bix Liar.

"I've heard them say it wa bad," answered the witness.

"Yet you don't know where lived for the last two or three you." "How many times have you

you give me the name

"I don't believe I can."
"How long have you worked

replied. "I sold another gun that day, and I took the stock off." That was all for him.

Saw Paul With Gun.

Ernest H. Neblitt, thirty-one years old, was then called to rebut testimony of J. C. Talley. He is night superintendent of the Standard Paper Mills, on the Chesterfield end of Mays Bridge. He stated that he had knows Paul about three months, since the latter had gone to work on the bridge With Henry Beattle he has only a speaking acquaintance.

"I want to ask you," said Mr. Smith Withers with the mirror of the standard Paper the hasted with a shotgun before the homicide."

"Yes, on Sunday, July 16." Witness stated that on this morning he went to his office between 7:30 and 5:26 olock, and saw Paul standing in the doorway of the concrete house at the end of the bridge as he drove across.

"I met them, but didn't have a contraction with them."

"Yes, of the bridge as he drove across."

"I met them, but didn't have a contraction with them."

"Yes, "Do you remember a honversation with mas to blood gots on the Goldek, and saw Paul standing in the Gorway of the concrete house at the cond of the bridge as he drove across."

PRISONER'S FATHER CALLED BY DEFENSE

H. C. Beattie, Sr., Tells Jury How He Had Shown Constant Devotion to wife Who Was Slain. Clerk Gives Paul Black Name.

Several conferences of attorneys and months ago. I spent a night at his witnesses delayed the opening of the afternoon session of the Beattle trial until 2:45 o'clock. A tacit agreement was reached between the attorneys for taking the deposition of a sick witness.

"I have never called on him sotaling the deposition of a sick witness."

the stand. He said he was not in truth and veracity in the community store when Paul came for the gun in which he lives?" "Do you know the reputation of "I think so. I have heard of it on

ain't important."

Witness said he had been to Mr.
Scherer's office, but said that no one had talked to him about the case since.

"Was what you said in Mr. Scherer's office the truth!" asked Mr. WendenDavid D. Bei

There is a question which I very ich dislike to ask. Are you ac-ainted with the general reputation

mainted with the general reputation or truth and veracity of Paul Boat

Mr. Wendenburg was reading from the boy's statement, and the defense called for a copy. The court ruled that they should have it, and the pris-oner interested himself in reading it. "Didn't you say in Mr. Scherer's of-fice that you took the gun apart in three nices?" "What is it ?" "Very bad"
The witness was turned over to Mr.
Wendenburg for cross-examination.
"Do you know where Paul Beattle

But I sold another gun Hyo have been at his house once on Randolph Street somewhere. He lives with his father-in-law and mother-In-law.

That part of his statement and read him, and he admitted having made "I do not know,"
"You mean to say that you testify
"You mean to say that you don't

"You mean to say that you testify as to his reputation and you don't know where he has been living?"
"Well, he was hoarding in one piace and then in another. Part of the time he lived with his grandmother."
"Do you know where she lives?"
"No." "Then, as a matter of fact you o

Never Talked to Neighbors. "You don't know his reputation for truthfulness among the people with whom he has lived for the past two or three years?"

"Do you remember your sister re-marking to Paul when she handed him the change?" or three years?"

"The witness is not limited," ruled the court, "to the block or street on which he resides, but to the community generally."

"Do you know anybody living within a mile of Paul Beattle's home with whom you have ever talked as to his truthfulness?"

"I cannot say that I do I keep 'She asked him why he didn't buy hetter gun"

"Didn't she joke with him about the change, saying. Til jend this money to you?" "I cannot say that I do. I know or men with whom he has worked. ate if you are positive you did ake the gun apart, Jakey," 'Well, who, for Instance?'

Only once and that was three

ness.

Charles L. Page, Commonwealth's attorney of the Hustings Court, part 2, and formerly city attorney of Manchester, was the first witness.

"Do you know Ernest Neblett?" he was asked by Mr. Smith.

"Yes."

Charles L. Page, Commonwealth's add mother, four or new years age. It is seldom that I go away from home, and then I go to the Beattie for the Manchester to make some purchases. Paul has been down to see me before and since his marriage. "When was the last time he was at your place?"

keep your place and I'll keep mine, replied the witness. "We object," said Mr. Smith, in

hat is your relationship to Henry anything about the crime, and that he was asleep when it happened?

"What was his language?"

next morning."
"Did you have a conversation with Sam Talley at Forest Hill recently?"
"Yes. I asked him if he had heard anything of this shooting and he told me he had. I asked him why he didn't make some statement about it the same way he told me, and he said he was afraid he wand get mixed up in court." in court." "Where did this conversation oc-

'At Forest Hill."

"At Forest HIL"
"Where do you work?"
"For I. J. Smith & Co."
"On the bridge?"
"Yes."
"Who was present at the conversation with Mr. Talley?"
"I don't think any one was there."
"When was this conversation?" ask, ed Mr. Wendenburg, suddenly;
"I think it was on July II," said the witness, mentioning the day before the murder occurred.
"Was the conversation you have re-"Was the conversation you have re-

"That's all." said Mr Wendenburg

"Might Be More Trouble."
Emmett L. Jewitt was called.
"Have you ever heard J. C. Talley
make a statement at Forest Hill when
Tom Brown was present?" he was
asked.

asked.

"Yes. Brown asked Talley if he knew about the murder. He said he had heard some one scream, and about two seconds later heard a gut go off. Brown asked him why he hadn't told this before, and Talley naswered that he didn't want to get into trouble or have to go to court."

"Did Talley see Tom Brown when he went out of the courteouses." "I cannot say."
"How many times have you been to be this grandson in the past three cars?"
"Did Talley see Tom Brown when he went out of the courtiques?"
"Yes."
"Did you hear them say anything?"

"I object," gaid Mr. Wendenburg.

"About what time did they leave?"
"About 10:20 or 10:25 o'clock."
"What time was the store closed?"
"We close about hee minutes pass;
10 on Saturday nights. By ten minutes after 10 there was no one on my side of the store. I straightened things up, and saw Henry Beattle waiting on a customer on the other side. I closed the door, and after waiting five or ten minutes for my pay I left. When I want out Herry Heaville 11.

Do you know Paul Beattler

Said Tailey Was Asleep.

"He said he was at home asleep and hever knew a thing about it until the next morning."

"Told you have a conversation with Sam Tailey at Forest Hill recently?"

"Yes. I asked him if he had heard anything of this shooting and he told time he had. I asked him why he with authority as to the character and reputation of the accused.

with him might be qualified to as to his character and reputation. "He might have reformed," gested Judge Gregory.

"The witness has stated," we the court, "that it has been two since I'aul Beattle was generally in Manchester." about as near right as that